

REMARKS

Entry of this Amendment and reconsideration are respectfully requested in view of the amendments made to the claims and for the remarks made herein.

Claims 1-10 are pending and stand rejected. Claim 10 has been cancelled.

Claim 3 stands objected to for containing a grammatical error.

Applicant thanks the Examiner for his observation and has amended the claims in a manner to correct the error note.

For the amendments made to the claims, applicant submits that the reason for the objection has been overcome and respectfully requests that the objection be withdrawn.

Claim 9 stands rejected under 35 USC 101 as being directed to non-statutory subject matter.

Applicant respectfully disagrees with and explicitly traverses the rejection of the claim. However, claim 9 has been amended to correct the wording of the claim to recite a transmission system for transmitting a signal between an encoder and a decoder. Claim 9 further recites that the signal is encoded into a format that includes content and a sequence key. The decoder uses the sequence key to determine the transmitted content.

Accordingly, the subject matter of claim 9 is believed patentable as a concrete, tangible and useable result may be had with the transmission of a signal formulated with the described format in that the signal may be decoded by a receiving system including a decoder that understands the format of the signal transmitted and received.

Thus, applicant submits that claim 9 recites a transmitting/receiving system and not a signal as stated in the Office Action.

For the amendments made to the claims, applicant submits that the reason for the rejection has been overcome and respectfully requests that the rejection be withdrawn.

Claims 1-2, 5, 7 and 9 stand rejected under 35 USC 112, first paragraph as failing to comply with the written description. The Office Action states that "... it appears that

at least four control bits are required (two for a key and two for at least one index)." (see OA, page 7, lines 15-16).

Applicant respectfully disagrees with and explicitly traverses the reason for the rejection. Applicant would note that the term "at least two bits" refers to two or more bits and this limitation would cover the example provided by the Examiner of at least four bits. Hence, the claims are believed to reflect the invention described in the written description.

However, notwithstanding the above, applicant has elected to amend the independent claims to recite that "each byte within said sequence of the retrieved identification information includes at least two control bits." (see page 19, line 30-page 20, line 5 and table 1).

For the amendments made to the claims, applicant submits that the reason for the rejection has been overcome and respectfully requests that the rejection be withdrawn.

Claims 3 and 9 stand rejected under 35 USC 112, second paragraph as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Applicant respectfully disagrees with and explicitly traverses the reason for rejecting the claims. However, applicant has amended claims 3 and 9 to refer to the decoding of the binary fragment by scanning the sequence key and decoding the binary fragment by the organization of the data portion of the content based on the order of the scanned sequence key.

Thus, for the amendments and remarks made to claims 3 and 9, applicant submits that the reason for the rejection has been overcome and respectfully requests that the rejection be withdrawn.

Claims 1, 2, 5, 7 and 9 stand rejected under 35 US 103(a) as being unpatentable over Buford in view of Bruce.

Applicant respectfully disagrees with and explicitly traverses the rejection of the claims. However, the independent claims have been amended to recite that the content

includes a size element and a data element. No new matter has been added. Support for the amendment may be found at least in Figure 4 and on page 20, lines 5-11.

Neither Buford nor Bruce disclose or suggest the inclusion of a block size in the format of the content transmitted.

Hence, the aforementioned claims are not rendered obvious over the teachings of Buford and Bruce as the combination of the references fails to disclose all the elements recited in the claims.

Although the combination of Buford and Bruce fails to disclose a data block size being contained within the content field, applicant further submits that the addition of the control bits of Bruce is contrary to the teachings of Buford as Buford teaches a DTD file that defines the syntactical elements used to convert the document into a compact tree representation and accompanies the document. The DTD file allows the document to be reconstructed from the CT representation and presented as formatted output. The DTD file fails to require control bits for decoding the information in the key, as is recited in the claims.

Accordingly, contrary to the position taken in the Office Action, there is no need to incorporate the teachings of Bruce into the teachings of Buford as Buford is able to decode a document without any additional elements.

Thus, applicant submits that the Office Action has added the features of Bruce to those of Buford only to show all the elements recited in the claims without there being any need for Buford to include control bits.


For the amendments made to the claims and for the remarks made herein, applicant submits that the reason for the rejection has been overcome and respectfully requests that the rejection be withdrawn.

For all the foregoing reasons, it is respectfully submitted that all the present claims are patentable in view of the cited references. A Notice of Allowance is respectfully requested.

Respectfully submitted,

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